

Reply to Office Action dated January 23, 2009

**REMARKS**

Claims 19-20, 23, 25-27, 30-31, 36-38, 41-42, 46, 48-50, 53, 57, 59-61, 65-66, 68-73, 75-82 and 84-85 are pending in this application. By this Amendment, claims 19, 20, 25, 27, 30, 31, 36, 38, 41, 48, 50, 53, 59, 61, 65, 66, 73, 75-78, 82 and 84-85 are amended and claims 64 and 83 are canceled without prejudice or disclaimer. Various amendments are made for clarity and are unrelated to issues of patentability.

The Office Action objects to claim 82 because of an informality. It is respectfully submitted that the above amendment to claim 82 obviates the ground for objection. Withdrawal of the objection is respectfully requested.

The Office Action rejects claim 25 under 35 U.S.C. §112, second paragraph. It is respectfully submitted that the above amendment to claim 25 obviates the ground for rejection. Withdrawal of the rejection is respectfully requested.

The Office Action rejects claims 19-20, 23, 27, 30-31, 38, 41-42, 46, 50, 53, 57, 61, 64-66, 68-73 and 75-81 under 35 U.S.C. §103(a) over U.S. Patent Publication 2004/0030596 to Attar et al. (hereafter Attar) in view of WO 00/63874 to Stringer and U.S. Patent 6,820,112 to Matsuda et al. (hereafter Matsuda). Still further, the Office Action rejects claims 82-85 under 35 U.S.C. §103(a) over Attar in view of Stringer and U.S. Patent 6,884,172 to Lloyd et al. (hereafter Lloyd). The Office Action also rejects claims 25-26, 36-37, 48-49 and 59-60 under 35 U.S.C. §103(a) over Attar in view of Stringer, Matsuda and Lloyd. The rejections are respectfully traversed with respect to the pending claims.

Independent claim 19 recites displaying the avatar at a mobile phone of the called party,

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the avatar including a plurality of joints, each joint of the avatar corresponding to a different key of a mobile phone of a calling party. Independent claim 19 also recites receiving signals for controlling a joint of the avatar displayed on the mobile phone of the called party based on at least three inputted ones of the keys of the mobile phone of the calling party, wherein the received signals are transmitted from the mobile phone of the calling party to the mobile phone of the called party, the received signals based on the at least three inputted keys, the at least three inputted keys including a first key corresponding to one joint of the avatar, a second key to cause motion of the one joint of the avatar corresponding to the first key and a third key to end motion of the one joint of the avatar. Independent claim 19 also recites controlling the one joint of the displayed avatar in accordance with the received signals.

The applied references do not teach or suggest all the features of independent claim 19. The Office Action (on page 5) states that Attar and Stringer do not disclose controlling each individual joint of the avatar based on corresponding different input keys of a controlling mobile phone. The Office Action (on page 5) then cites Matsuda's col. 10, lines 17-34 (FIG. 9) as teaching a skeletal structure of a virtual living object that includes Joint IDs. However, Matsuda does not teach or suggest that each joint corresponds to a different key of a mobile phone, as recited in independent claim 19. Matsuda does not suggest a mobile phone and/or keys of a mobile phone. Matsuda's FIG. 9 shows joint IDs such as J1-J15. Each of these does not correspond to a different key of a mobile phone. Additionally, the operations identified in Attar and Stringer do not relate to a different key of a mobile phone. Matsuda does not suggest a relationship of a specific joint (of an avatar) and a specific key (of a mobile phone).

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The Office Action has not provided any reference or combination of references that teaches the specific relationship of a claimed joint (of the avatar) and a claimed key of the mobile phone. Therefore, even if combined, the combination does not suggest all the features of independent claim 19.

Additionally, Matsuda specifically states that if a user desires to command an action, a user may click a desired one of icons indicative of action that are displayed on a screen. See Matsuda's col. 9, lines 1-6. A joint ID of Matsuda do not correspond to a key of a mobile phone. Stated differently, each of J1-J15 shown in FIG. 9 does not correspond to a key of a mobile phone. The Office Action does not recognize or address the claimed relationship of a joint of an avatar to a key of a mobile phone. Matsuda (and the other applied references) does not recognize the advantages of being able to alter joints of an avatar by pressing corresponding keys on a key pad. See paragraph [42] of the present specification that describes that arm joints and leg joints are made to correspond to numbers on a key pad.

Attar, Stringer and Matsuda do not teach or suggest each joint of an avatar corresponding to a different key of a mobile phone of a calling party, receiving signals for controlling a joint of the avatar displayed on the mobile phone of the called party based on at least three inputted ones of the keys of the mobile phone of the calling party, the received signal based on the inputted ones of the keys. Still further, Attar, Stringer and Matsuda do not teach or suggest the at least three inputted keys including a first key corresponding to one joint of the avatar, a second key to cause motion of the one joint of the avatar corresponding to the first key and a third key to end

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motion of the one joint of the avatar. The applied references do not suggest a key to cause motion of one joint and a key to end motion of one joint.

The other applied references do not teach or suggest the features of independent claim 19 missing from Attar, Stringer and Matsuda. Thus, independent claim 19 defines patentable subject matter.

Independent claim 30 recites a receiver, at a mobile phone of a called party, for receiving signals for controlling an avatar having a plurality of joints, wherein the signals are transmitted from a mobile phone of a calling party based on at least three inputted keys of a key pad of the mobile phone of the calling party, each joint of the avatar corresponding to a different key of the mobile phone of the calling party, the at least three inputted keys including a first key corresponding to one joint of the avatar, a second key to cause motion of the one joint of the avatar corresponding to the first key and a third key to end motion of the one joint of the avatar. Independent claim 30 also recites a display for displaying the avatar at the mobile phone of the called party, and a controller for controlling different states of the displayed avatar at the mobile phone of the called party in accordance with the received signals, wherein the controller controls the different states by controlling the joints of the avatar corresponding to the inputted keys of the mobile phone of the calling party.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 30. More specifically, Attar, Stringer and Matsuda do not teach or suggest that the signals are transmitted from a mobile phone of a calling party based on at least three inputted keys, and the at least three inputted keys including a first

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key corresponding to one joint of the avatar, a second key to cause movement of the one joint of the avatar corresponding to the first key and a third key to end movement of the one joint of the avatar. Thus, independent claim 30 defines patentable subject matter.

Independent claim 41 recites displaying the avatar on the mobile phone of the called party, wherein the avatar displayed on the mobile phone of the calling party has a plurality of joints, each joint of the displayed avatar corresponding to a different key of the mobile phone of the calling party. Independent claim 41 also recites generating signals, based on at least three inputted ones of the keys, for controlling the corresponding one joint of the avatar displayed at the called party and displayed on the mobile phone, the at least three inputted keys including a first key corresponding to the one joint of the avatar, a second key to cause movement of the one joint of the avatar corresponding to the first key and a third key to end movement of the one joint of the avatar, and transmitting the signals to the mobile phone of the called party via a network.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 41. More specifically, Attar, Stringer and Matsuda do not teach or suggest that generating signals, based on at least three inputted ones of the keys, for controlling the corresponding one joint of the avatar displayed at the called party and displayed on the mobile phone, the at least three inputted keys including a first key corresponding to the one joint of the avatar, a second key to cause movement of the one joint of the avatar corresponding to the first key and a third key to end movement of the one joint of the avatar. Thus, independent claim 41 defines patentable subject matter.

Independent claim 53 recites a display for displaying the avatar at the mobile phone of the calling party, a key pad having a plurality of keys, each joint of the avatar corresponding to a different key of the mobile phone of the calling party, a controller for generating signals for controlling the avatar displayed at the mobile phone of the called party based on a selected three of the keys of the key pad and the controller for controlling the avatar displayed at the mobile phone of the calling party by changing a specific joint of the avatar corresponding to a selected key of the mobile phone of the calling party, the selected three keys include a first key corresponding to the specific joint of the avatar, a second key to cause motion of the one joint of the avatar corresponding to the first key and a third key to end motion of the specific joint of the avatar, and a transmitter for transmitting the signals from the mobile phone of the calling party to the mobile phone of the called party via a network.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 53. More specifically, Attar, Stringer and Matsuda do not teach or suggest a controller for generating signals for controlling the avatar displayed at the mobile phone of the called party based on a selected three of the keys of the key pad and the controller for controlling the avatar displayed at the mobile phone of the calling party by changing a specific joint of the avatar corresponding to a selected key of the mobile phone of the calling party, the selected three keys include a first key corresponding to the specific joint of the avatar, a second key to cause motion of the specific joint of the avatar corresponding to the first key and a third key to end motion of the specific joint of the avatar. Thus, independent claim 53 defines patentable subject matter.

Independent claim 65 recites generating signals to control the avatar at a mobile phone by selecting at least three keys of the mobile phone of a calling party, wherein the avatar includes a plurality of joints and each joint of the avatar corresponds to a different key of the mobile phone of the calling party, the at least three keys including a first key corresponding to one joint of the avatar, a second key to cause motion of the one joint of the avatar corresponding to the first key and a third key to end motion of the one joint of the avatar. Independent claim 65 also recites transmitting the signals via a network, receiving the signals at a mobile phone of a called party, and displaying the avatar in different representations at the mobile phone of the called party based on the received signals, wherein each representation includes a different arrangement of at least one joint of the avatar.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 65. More specifically, Attar, Stringer and Matsuda do not teach or suggest generating signals to control the avatar at the mobile phone by selecting at least three keys, wherein the avatar includes a plurality of joints and each joint of the avatar corresponds to a different key of the mobile phone of the calling party, the at least three keys including a first key corresponding to one joint of the avatar, a second key to cause motion of the one joint of the avatar corresponding to the first key and a third key to end motion of the one joint of the avatar. Thus, independent claim 65 defines patentable subject matter.

Independent claim 75 recites receiving signals for controlling a joint of the avatar, wherein the received signal is transmitted from a mobile phone of a calling party to the mobile phone of the called party. Independent claim 75 also recites displaying the avatar controlled in

accordance with the received signals at the mobile phone of the called party based on selection of at least three keys from the mobile phone, the received signals corresponding to both one joint of the avatar and one of the keys of the mobile phone of the calling party, the at least three keys including a first key corresponding to the one joint of the avatar, a second key to cause motion of the one joint of the avatar corresponding to the first key and a third key to end motion of the one joint of the avatar. Independent claim 75 also recites that the avatar being controlled at the mobile phone of the called party is the same as in the mobile phone of the calling party, wherein the avatar of the mobile phone of the calling party is equally controlled and displayed corresponding to an input signal generated by a user of the mobile phone of the calling party.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 75. More specifically, Attar, Stringer and Matsuda do not teach or suggest displaying the avatar based on selection of at least three keys from the mobile phone, the received signals corresponding to both one joint of the avatar and one of the keys of the mobile phone of the calling party, the at least three keys including a first key corresponding to the one joint of the avatar, a second key to cause motion of the one joint of the avatar corresponding to the first key and a third key to end motion of the one joint of the avatar. Thus, independent claim 75 defines patentable subject matter.

Independent claim 76 recites receiving signals for controlling the avatar based on a specific key pad selection of the mobile phone of the calling party, wherein the received signals are transmitted from the mobile phone of the calling party to the mobile phone of the called



party, wherein the specific key pad selection includes a first key corresponding to one joint of the avatar, a second key to cause movement of the one joint of the avatar corresponding to the first key and a third key to end movement of the one joint of the avatar. Independent claim 76 also recites controlling the avatar in accordance with the received signal, displaying the controlled avatar at the mobile phone of the called party, wherein the avatar being controlled at the mobile phone of the called party is the same as in the mobile phone of the calling party, wherein the avatar of the mobile phone of the calling party is equally controlled and displayed corresponding to the signals generated by a user of the mobile phone of the calling party based on the first key, the second key and the third key.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 76. More specifically, Attar Stringer and Matsuda do not teach or suggest receiving signals for controlling the avatar based on a specific key pad selection of the mobile phone of the calling party, wherein the specific key pad selection includes a first key corresponding to one joint of the avatar, a second key to cause movement of the one joint of the avatar corresponding to the first key and a third key to end movement of the one joint of the avatar. Thus, independent claim 76 defines patentable subject matter.

Independent claim 77 recites selecting the avatar being controlled using the mobile phone of the calling party, generating signals for controlling the selected avatar, wherein the generated signals are based on at least three keys of the mobile phone of the calling party and a corresponding one joint of the avatar, the at least three keys include a first key corresponding to the one joint of the avatar, a second key to cause movement of the one joint of the avatar

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corresponding to the first key and a third key to end movement of the one joint of the avatar. Independent claim 77 also recites transmitting the signals to the mobile phone of the called party via a network, wherein the avatar being controlled at the mobile phone of the called party is the same as in the mobile phone of the calling party, wherein the avatar of the mobile phone of the calling party is controlled and displayed corresponding to the generated signals.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 77. More specifically, Attar, Stringer and Matsuda do not teach or suggest that the generated signals are based on at least three keys of the mobile phone and a corresponding joint of the avatar, the at least three keys include a first key corresponding to one joint of the avatar, a second key to cause movement of the one joint of the avatar corresponding to the first key and a third key to end movement of the one joint of the avatar. Thus, independent claim 77 defines patentable subject matter.

Independent claim 78 recites selecting the avatar being controlled using the mobile phone of the calling party, displaying the selected avatar on the mobile phone of the calling party, generating signals for controlling the displayed avatar, wherein the generated signals are based on at least three inputted keys of the mobile phone of the calling party and a corresponding one joint of the avatar, the at least three inputted keys including a first key corresponding to the one joint of the avatar, a second key to cause motion of the one joint of the avatar corresponding to the first key and a third key to end motion of the one joint of the avatar. Independent claim 78 also recites transmitting the signals to control the displayed avatar to the mobile phone of the called party via a network, wherein the avatar being controlled at the mobile phone of the called

party is the same as in the mobile phone of the calling party, wherein the avatar of the mobile phone of the calling party is equally controlled and displayed corresponding to the generated signals.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 78. Thus, independent claim 78 defines patentable subject matter.

Independent claim 82 recites receiving, at the mobile phone of the called party, a special number from a mobile phone of a calling party, wherein the special number represents an identified number for controlling the avatar, displaying the avatar at the mobile phone of the called party, the avatar including a plurality of joints. Independent claim 82 also recites receiving signals for controlling the avatar from the mobile phone of the calling party based on at least three input keys of the mobile phone, the received signals corresponding to the at least three input keys of the mobile phone and one of the joints of the avatar, the at least three input keys including a first key corresponding to one joint of the avatar, a second key to cause movement of the one joint of the avatar corresponding to the first key and a third key to end movement of the one joint of the avatar. Independent claim 82 also recites controlling the one of the joints of the displayed avatar in accordance with the received signals.

For at least similar reasons as set forth above, the applied references do not teach or suggest all the features of independent claim 82. Attar, Stringer, Matsuda and Lloyd do not teach or suggest receiving signals for controlling the avatar from the mobile phone of the calling party based on at least three input keys of the mobile phone, the received signals corresponding to the

at least three input keys of the mobile phone and one of the joints of the avatar, the at least three input keys including a first key corresponding to one joint of the avatar, a second key to cause movement of the one joint of the avatar corresponding to the first key and a third key to end movement of the one joint of the avatar in combination with controlling the one of the joints of the displayed avatar in accordance with the received signals. Thus, independent claim 82 defines patentable subject matter.

Independent claim 84 recites pressing a phone number of the mobile phone of the called party, pressing a special number, wherein the special number represents an identifier number for controlling the avatar, displaying the avatar on a display of the mobile phone of the calling party, wherein the avatar has a plurality of joints, generating signals for controlling at least one joint of the avatar by pressing at least three of a plurality of key buttons of the mobile phone of the calling party, the at least three keys including a first key corresponding to the at least one joint of the avatar, a second key to cause motion of the at least one joint of the avatar corresponding to the first key and a third key to end motion of the at least one joint of the avatar. Independent claim 84 also recites transmitting the signals to the mobile phone of the called party via a network.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 84. More specifically, Attar, Stringer and Matsuda do not teach or suggest generating signals for controlling at least one joint of the avatar by pressing at least three of a plurality of key buttons of the mobile phone of the calling party, the at least three keys including a first key corresponding to the at least one joint of the avatar, a

second key to cause motion of the at least one joint of the avatar corresponding to the first key and a third key to end motion of the at least one joint of the avatar. Thus, independent claim 84 defines patentable subject matter.

Independent claim 85 recites key buttons, a display for displaying the avatar at the mobile phone of the calling party, a controller for generating a special signal based on a special number input through the key buttons and for generating a control signal for controlling the avatar displayed at the called party, wherein the special number represents an identifier number for controlling the avatar, and the control signal corresponds to at least three of the key buttons, wherein the avatar includes a plurality of joints and the control signal corresponds to one of the joints of the avatar. Independent claim 85 also recites that at least three keys including a first key corresponding to the one joint of the avatar, a second key to cause motion of the one joint of the avatar corresponding to the first key and a third key to end motion of the one joint of the avatar. Independent claim 85 also recites a transmitter for transmitting the special signal and the control signal to the mobile phone of the called party via a network.

For at least similar reasons as set forth above, the applied references do not teach or suggest at least these features of independent claim 85. More specifically, Attar, Stringer and Matsuda do not teach or suggest a controller for generating a special signal based on a special number input through the key buttons and for generating a control signal for controlling the avatar displayed at the called party, wherein the control signal corresponds to at least three of the key buttons, wherein the avatar includes a plurality of joints and the control signal corresponds to one of the joints of the avatar, the at least three keys including a first key corresponding to the

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one joint of the avatar, a second key to cause motion of the one joint of the avatar corresponding to the first key and a third key to end motion of the one joint of the avatar. Thus, independent claim 85 defines patentable subject matter.

For at least the reasons set forth above, each of independent claims 19, 30, 41, 53, 65, 75-78, 82 and 84-85 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

### **CONCLUSION**

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 19-20, 23, 25-27, 30-31, 36-38, 41-42, 46, 48-50, 53, 57, 59-61, 65-66, 68-73, 75-82 and 84-85 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this,

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concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

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